

**MINUTES OF THE  
EXECUTIVE OFFICES & CRIMINAL JUSTICE  
JOINT APPROPRIATIONS SUBCOMMITTEE  
ROOM 405 STATE CAPITOL BUILDING**

February 5, 2001

**Members Present:** Sen. D. Chris Buttars , Co-Chair  
Rep. A. Lamont Tyler, Co-Chair  
Sen. Peter C. Knudsen  
Sen. Pete Suazo  
Rep. Ron Bigelow  
Rep. Gary F. Cox  
Rep. Scott Daniels  
Rep. Paul Ray  
Rep. Mike Thompson

**Members Absent:** None

**Staff Present:** Bill Dinehart, Fiscal Analyst  
Dr. Andrea Wilko, Fiscal Analyst  
Cherri White, Committee Secretary

**Visitors List:** List filed with Committee Minutes

Senator Buttars called the meeting to order at 2:10 p.m. and called for a motion to approve the minutes of January 31, 2001.

**MOTION:** Representative Daniels moved to approve the minutes of January 31, 2001. The motion passed unanimously with Representatives Bigelow and Tyler and Senator Knudsen absent for the vote.

Chairman Buttars indicated that the tentative schedule would proceed with Public Safety on Wednesday February 7, 2001, and semi-final voting on all budgets and supplemental requests on Friday, February 9, 2001. The Chairmen would then present budget requests from the committee to the Executive Appropriations Committee. If any changes are required then the committee would need to meet on Wednesday February 14, 2001. He then indicated he was ready to entertain motions from the committee regarding the Department of Corrections and Board of Pardons budget requests.

**MOTION:** Representative Tyler moved to tentatively approve the Board of Pardons budget less the 1% General Fund monies in the amount of \$2,514,100. The motion passed unanimously with Representative Bigelow absent for the vote.

**MOTION:** Representative Cox moved to add \$35,000 in General Fund monies to the priority list for Public Safety Retirement for the Board of Pardons. The motion passed unanimously with Representative Bigelow absent for the vote.

**MOTION:** Representative Thompson moved to add a \$16,000 supplemental for FY 2001 to address the shortfall in the budget to the priority list for the Board of Pardons. The motion passed unanimously with Representative Bigelow absent for the vote.

**MOTION:** Representative Cox moved to approve the Analyst recommended base budget for the Department of Corrections less 1% General Fund monies in the amount of \$193,007,500. The motion passed unanimously with Representative Bigelow absent for the vote.

**MOTION:** Representative Tyler moved to add to the priority list for the Department of Corrections the following:

Utility Increases FY 2001	\$ 420,700
Compensation FY 2001	966,000
Supplemental FY 2001-housing	4,497,800

The motion passed unanimously with Representative Bigelow absent for the vote.

**MOTION:** Representative Tyler moved to add the following Intent Language:

*“It is the Intent of the Legislature that the supplemental of \$4,497,800 to cover the cost of Jail housing and Programs be lapsing, and further that the Department of Corrections give the Legislature a full accounting of this supplemental allocation.”*

After some discussion from the committee Representative Tyler withdrew his motion.

It was noted by Mike Chabries, Executive Director, Department of Corrections that they were in favor of the accountability being requested, and he further indicated that the supplemental, should it be approved through the process would only be used for the housing of inmates in the county Jails, and the funds would not be absorbed anywhere else within the Departments budget.

**MOTION:** Representative Daniels moved to add to the priority list \$193,000, and 3 FTE's for Offender Tracking System (O-Track). The motion passed unanimously.

**MOTION:** Representative Tyler moved to add to the priority list \$5,266,700 for full funding of the 288-bed addition at Gunnison. The motion passed unanimously with Senator Knudsen absent for the vote.

**MOTION:** Representative Bigelow moved to add to the priority list \$5,000,000 for 300 beds with the County Jails. The motion passed unanimously with Senator Knudsen absent for the vote.

**MOTION:** Representative Daniels moved to add to the priority list a supplemental of \$621,000 for FY 2001 to address the rate change on the County Jail contracts and

reimbursement. The motion passed unanimously with Senator Knudsen absent for the vote.

**MOTION:** Representative Ray moved add Intent Language addressing the Capital Facilities Committee indicating the support of the committee for operation and maintenance of Oxbow Jail or other facility for a Women's Correctional Facility.

The motion failed 3-5 with Representatives Daniels and Ray, and Senator Suazo voting in favor of the motion and Senator Knudsen absent for the vote.

**MOTION:** Representative Daniels moved to add to the priority list \$458,600 in General Fund monies (\$337,200 on-going and \$121,400 one-time) for 7 new Parole and Probation Agents. The motion passed unanimously with Senator Knudsen absent for the vote.

**MOTION:** Representative Tyler moved to add to the priority list \$839,000 in General Fund monies for 5 FTE's for sex-offender treatment. The motion passed unanimously with Senator Knudsen absent for the vote.

**MOTION:** Senator Suazo moved to add to the priority list \$3,400,000 for compensation for corrections officers, in addition a letter addressed to the Executive Appropriations Committee from the Chairmen of the Executive Offices and Criminal Justice Subcommittee indicating the committee's continued support for bringing corrections officers compensation to a more equitable level.

The Chair made the letter contingent upon final subcommittee prioritization.

The motion passed unanimously with Senator Knudsen absent for the vote.

**MOTION:** Representative Tyler moved to add to the priority list for increased costs in Medical Services \$1,150,000 in General Fund monies. The motion passed unanimously with Senator Knudsen absent for the vote.

**MOTION:** Representative Cox moved to add to the priority list \$273,000 for POST certification for clerical and medical staff. The motion passed 6-2 with Representatives Thompson and Tyler voting against the motion and Senator Knudsen absent for the vote.

**MOTION:** Representative Daniels moved to add to the priority list \$165,000 clothing allowance for Field Operations Officers. The motion passed 7-1 with Representative Tyler voting against the motion, and Senator Knudsen absent for the vote.

**MOTION:** Representative Tyler moved to give tentative approval for Data Processing Internal Service Fund the following:

FTE	10
Capital Outlay	\$417,000
Billing Rate	\$250 per device per month

The motion passed unanimously with Senator Knudsen absent for the vote.

The Chair indicated the committee would take a 10 minute break. The committee broke at 3:27 p.m. and reconvened at 3:47.

Fiscal Analyst, Bill Dinehart, gave the budget presentation regarding the Department of Youth Corrections (tab #22-28). Mr. Dinehart indicated for the committee the follow items that the committee may want to give special consideration.

1. Central Utah (Richfield) Youth Facility - This facility is a new 32 bed Youth Corrections facility that is scheduled to open in February. Part of the cost for operations and maintenance is covered by shifting resources from the existing building to the new facility. However, an additional \$910,000 would be needed from the General Fund.
2. Washington County - Based on the joint meeting of February 2, 2001 the Analyst asked the committee what they might want to include for this project.
3. Diversion Programs - The Division of Youth Corrections has been using Federal Funds from the Juvenile Accountability Incentive Block Grant program to provide alternatives to secure confinement for youth. These alternatives help to keep the youth offender out of secure facilities which are more expensive for the State to operate. Growth in the delinquent youth population in the Community Alternative programs has averaged over 13 percent for the last several years. This has caused a necessary increase in funding for these programs. The amount needed to continue this program is as follows:

Community Alternatives Contracting (Includes \$689,500 in Federal Funds)	\$3,693,900
Day/night reporting centers and electronic monitoring	415,000
Out of State Placements	1,100,000
Rural home detention and electronic monitoring	<u>400,000</u>
<b>Totals</b>	<b><u>\$5,608,900</u></b>

4. Federal (Title IV-E) Match Rate Change - DYC along with other human service agencies and programs, has been impacted by the Federal Match Rate change in program funds. In FY 2002 there will be a 1.9 percent reduction in the amount of eligible costs that will be

reimbursed. This results in an additional \$202,800 in General Fund monies to maintain the existing programs under the new rate.

5. Federal Medicaid Loss - To replace funds no longer provided under Medicaid due to eligibility changes yet still maintain the programs at current levels will require an additional \$868,000 in General Funds. There will also need to be a supplemental of \$1,400,000.
6. Privatization Facility COLA - The Division contracts for the management and operation of two large youth facilities, and part of the contract calls for a COLA increase. This would amount to 4 percent in Salt Lake and 3 percent in Farmington. The costs for the COLA for FY 2002 would be \$201,000 in General Funds.
7. Vehicles - In order to transport youth to off-site programs in the seven rural centers the Analyst recommends a one-time supplemental of \$126,000 in General Fund monies.

In addition the Analyst is recommending that the Youth Parole Authority (under programs) be made a separate line item.

Division of Youth Corrections, Executive Director, Blake Chard introduced members of his executive staff, Dan Maldonado, Deputy Director, Fred Weidner, Manager Budget and Accounting, Cecil Robinson, Director Community Programing, Malcolm Evans, Director Rural Programing, David Loden, Director Correctional Facilities, Jeanne Lund, Legislative Liaison. Mr. Chard indicated to the committee that, since his appointment six months ago they have been undergoing a major restructuring of the division. Mr. Chard then proceeded to cover for the committee the areas that he felt were most critical for the division. (See handout on file)

1. Budget Deficit in July 2000- \$5,700,000
2. Budget Deficit as of February 1, 2001 - \$ 541,193
3. On-going needs:
  - Growth in Community Alternatives \$3,004,400
  - Richfield Youth Facility 910,000
  - Washington County (Alternatives to Detention and Transportation Costs) 121,500
  - Change in Federal Match Rates 202,800
  - Day/Night Reporting, Rural Home Detention 1,915,000
  - Electronic Monitoring and Out of State Placements
  - Privatized Facilities COLA 201,000
  - 3 New Case Managers 196,800
  - Replace TCM Rate 809,400
4. Supplementals:

• Compensation Shortfall	\$ 229,000
• Growth in Community Alt. FY 2001	1,083,500
• Vehicle Purchase	126,000
• TCM Rate Match request	809,400
• Lost Medicaid	1,438,300

The final portion of the requests were directed to the need for the reinstatement of the 1% cut of General Fund monies. If the cut is maintained it would result in \$680,224 reduction in General Fund monies. This would also result in \$120,500 reduction in federal draw downs, and the current temporary cuts would become permanent.

Addressing the committee from the public were, Sam Dawson, Sandy City Police Chief, Lana Bybee, Chair, Utah Private Providers, Julie Brown, Artec Staff Member, Sara, a youth recently released from Youth Corrections Custody. (See handouts on file)

Before calling for a motion to adjourn, the committee requested from the Division of Youth Corrections numbers addressing the need for increased monies for utility costs. The committee was also given a letter from Robin Arnold-Williams, Executive Director Department of Human Services, Ken Patterson, Director, Division of Child and Family Services, Blake Chard, Director, Division of Youth Corrections, regarding a request that will be coming forward during the interim meetings for intent language that would move the responsibility of Youth Services a Division status organization.

**MOTION:** Representative Cox moved to adjourn. The motion passed unanimously with Representative Bigelow, and Senator Knudsen absent for the vote.

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Senator D. Chris Buttars, Co- Chair

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Representative A. Lamont Tyler, Co-Chair